

**From:** Harold Hutchison  
**To:** Microsoft ATR  
**Date:** 1/27/02 10:26am  
**Subject:** Microsoft Settlement

I support this settlement only because it does not appear that this frivolous case will be completely tossed.

I have serious concerns about the fairness of the Findings of Fact in this case issued by Judge Jackson, who had been giving media interviews during the case.

I also question the fact that AOL/Netscape has filed its own suit using these Findings of Fact. This leads me to believe that their complaints were motivated solely to send the DOJ on a fishing expedition that could be used against Microsoft later.

There are still alternatives to Windows as an operating system: There is Linux, and there is a competing line of computers in the Macintosh. My brother was able to find copies of Linux and install them. Macintosh is also an alternative for those who do not wish to use Windows. To say Microsoft has a monopoly is a pretty big stretch in my opinion.

From my understanding the browser wars involved some fierce competition, and there were probably a few too many elbows thrown by Microsoft. However, this settlement should address the situation while ending a case that should not have gone as far as it has.

Personally, I'd have felt better had the Findings of Fact and the Conclusions of Law been thrown out altogether, and Microsoft had been granted a new trial. However, a settlement that keeps things at the status quo is one that I can live with.

Given the war on terrorism, this case needs to be resolved quickly, even if the settlement is less than perfect. Every dollar spent on this case is money that does not go to protecting us from a threat that is clearly worse than any theoretical threat posed by Microsoft.

This settlement is, on balance, in the best interest of the public, and I support it.

Sincerely,

Harold C. Hutchison

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"Fletcher's orders were to fuel at discretion; but this was no time to do it."

Samuel Eliot Morison, *The Rising Sun in the Pacific*, page 243.